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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,726	01/10/2001	Toru Sorihashi	55522 (904)	8376
21874	7590	09/01/2005	EXAMINER	
EDWARDS & ANGELL, LLP P.O. BOX 55874 BOSTON, MA 02205			STORK, KYLE R	
			ART UNIT	PAPER NUMBER
			2178	
DATE MAILED: 09/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/757,726

Applicant(s)

SORIHASHI, TORU

Examiner

Kyle R. Stork

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8 July 2005</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This non-final office action is in response to the request for continued examination filed 8 July 2005.
2. Claims 1-23 are pending. Claims 1, 20, and 23 are independent claims. The rejection of claims 1-23 under 35 U.S.C. 103 have been withdrawn.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 8 July 2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner has considered the information disclosure statement.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-23 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Eintracht et al. (US 6687878, filed 15 March 1999, hereafter Eintracht) and further in view of Ichiriki (US 6040920, filed 19 February 1997).

As per independent claim 1, Eintracht discloses a log recording/reproducing section which I) creates log data including history data of operations executed by users when creating data, and ii) controls, with reference to the created log data, used to re-

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execute operation stored in the log data so as to reproduce a creation of a data file when displaying a data file (column 3, lines 12-36: Here, the notes database is the log data. Further, when the user synchronizes a local copy with the notes database, the logged changes/annotations are transferred to the user and the local copy is reproduced with the logged changes/annotations). Eintracht fails to specifically disclose a data creating section for creating data file and a data reference section for displaying reference data and when creating the data file. However, Ichiriki discloses a data creating section for creating data file (Ichiriki Col 12 Lines 15-20), and a data reference section for displaying reference data and when creating the data file (Ichiriki Col 12 Lines 65-67 and Col 13 Lines 1-5).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Eintracht's device with Ichiriki's device, since it would have allowed a user to create new documents with annotations.

In regard to dependent claim 2, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht further discloses the device wherein:

- The log recording/ reproducing section records all the operations executed on a document (column 3, lines 12-36)
- Re-executing all the operations stored in the log data, so as to reproduce all the creation processes of a file when displaying the file (column 3, lines 12-36)

In regard to dependent claim 3, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Ichiriki discloses partial data as selected by the reader (Ichiriki Col 14 Lines 26-31).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Eintracht and Ichiriki's device with Ichiriki's device, since it would have allowed a user to limit access rights to data (Ichiriki: column 14, lines 32-35).

In regard to dependent claim 4, Eintracht and Ichiriki disclose the limitations similar to those in claim 3, and the same rejection is incorporated herein. Eintracht further discloses the device wherein:

- When working with the data file, the log recording/reproducing section records a position on the data file in a related portion of each operation executed by the data creating section and the data reference section as the position indicative information of each operation (column 7, line 55- column 8, line 3: Here, each annotation or note has a note anchor associated with it. The note anchor specifies the (x, y) coordinates of the annotation on the document)
- When displaying the data file, the log recording/reproducing section specifies the position of the data, based on the position indicative information, selects the operation related to the data from the log data, to be re-executed by the data creating section and data reference section (column 7, line 55- column 8, line 31: Here, the notes client visually distinguishes within the document notes by different users)

In regard to dependent claim 5, Eintracht and Ichiriki disclose the limitations similar to those in claim 4, and the same rejection is incorporated herein. Eintracht further discloses the device wherein the log recording/reproducing section changes the position indicative information of each operation as already stored in the log data according to a change made in the data file (column 7, line 55- column 8, line 3: Here, the user can reposition the note anchor within the data document. This change of position is propagated to the log file, and subsequently to the reproduction of the data document at other user terminals).

In regard to dependent claim 6, Eintracht and Ichiriki disclose the limitations similar to those in claim 5, and the same rejection is incorporated herein. Eintracht further discloses the device wherein when a deletion is made with respect to the data file, the log recording/reproducing section marks an operation related to the deleted portion on the log data with a predetermined mark (column 8, line 61- column 9, line 5: Here, a note event is used to denote a change in the status of a note. This change in status can be creation on notes, modification of content, modification of anchor points, and deletion).

In regard to dependent claim 7, Eintracht and Ichiriki disclose the limitations similar to those in claim 6, and the same rejection is incorporated herein. Eintracht further discloses the device wherein when a deleted portion is re-inputted, the log recording/reproducing section deletes the mark from the log data (column 15, line 61- column 16, line 64: Here, a re-inputted portion acts the same as a newly created note. The created note is stored in a log file until requested. Once the user's local copy is

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synchronized with the log file, the user no longer needs to download the updated log information, and the log data mark is removed).

In regard to dependent claim 8, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht further discloses the device provided with operation history data creating section for creating history data of operations and transmitting the history data as created to the log recording/reproducing section (column 3, lines 53-58).

In regard to dependent claim 9, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht further discloses the device comprising an operation supervision section for creating history data of operations and transmitting the history data as created to the log recording/reproduction section (column 3, lines 53-58).

In regard to dependent claim 10, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht further discloses the device further comprising:

- A display control section for supervising a display state of a display screen which is open to display the data file (column 4, lines 5-13)
- Wherein the log recording/reproducing section controls the display control section so as to store in the log data a display state of the screen opened when executing each operation (column 7, line 55- column 8, line 3; column 8, line 61- column 9, line 5)

In regard to dependent claim 11, Eintracht and Ichiriki disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Eintracht discloses said log recording/reproducing section and stores the result of determination in the log data. However, Eintracht fails to specifically disclose determining whether each screen is used in the creation of the data file based on the display state of the display screen. However, Ichiriki discloses determines whether each screen is used in the creation of the data file based on the display state of the display screen (Ichiriki Col 2 Lines 45-55). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Eintracht and Ichiriki's device with Ichiriki's device, since it would have allowed a user to create a log of operations so the user can keep track of operations that have been used.

In regard to dependent claim 12, Eintracht and Ichiriki disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Eintracht discloses said log recording/reproducing section and stores the result of determination in the log data. Eintracht further discloses pre-set conditions (column 11, line 22-column 12, line 38: Here, security conditions are pre-set conditions placed upon the modification a user can make). However, Eintracht fails to specifically disclose determining whether the display screen is used for the data. Ichiriki further discloses determining whether the display screen is used for the data. (Ichiriki Col 2 Lines 45-55)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Eintracht and Ichiriki's device with Ichiriki's



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device, since it would have allowed a user a log of operations to keep track of operations that have been performed on a document.

As per dependent claim 13, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht discloses the device wherein the log recording/reproducing section stores only operations executed by predetermined specific data creating section and data reference section in the log data (column 8, line 61- column 9, line 5: Here, only certain operations can be executed, including deletion, modification of notes, and modification of anchor points).

As per dependent claim 14, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht further discloses the device wherein the log recording/reproducing section prevents operations executed by predetermined specific data creating section and the data reference section from being stored in the log data (column 8, line 61- column 9, line 5: Here, only users with specific privileges perform operations on the log data).

As per dependent claim 15, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht further discloses the device wherein the log recording/reproducing section edits the log data according to an instruction given by the user (column 8, line 61- column 9, line 5: Here, the user inputs the notes).

As per dependent claim 16, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht further discloses the device further comprising a data recording section for storing the data file

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in relation to the log data created by the log recording/reproducing section (column 2, line 8- column 4, line 53: Here, a data file is stored locally while the log file is stored on a server).

As per dependent claim 17, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht discloses a memory for storing a data (column 2, line 8- column 4, line 53). Ichiriki discloses said data creating section includes ...for storing a program for creating the data file and a reading section for creating the data file by reading the program. (Col 12 Lines 15-20; Col 12 Lines 65-67 and Col 13 Lines 1-5)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Eintracht and Ichiriki's device with Ichiriki's device, since it would have allowed a user automatically create a data file (Ichiriki: column 12, lines 15-20; column 12, line 65- column 13, line 5).

As per dependent claim 18, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Eintracht discloses a memory for storing a data (column 2, line 8- column 4, line 53). Ichiriki discloses said data reference section ... section for storing a program for making a reference to the data file, and a reading section for making a reference to the data file by reading the program. (Ichiriki Col 12 Lines 15-20) (Ichiriki Col 12 Lines 65-67 and Col 13 Lines 1-5)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Eintracht and Ichiriki's device with Ichiriki's

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device, since it would have allowed a user automatically create a data file (Ichiriki: column 12, lines 15-20; column 12, line 65- column 13, line 5).

As per dependent claim 19, Eintracht and Ichiriki disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Ichiriki discloses said data creating section creates document data. (Ichiriki Col 12 Lines 15-20)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Eintracht and Ichiriki's device with Ichiriki's device, since it would have allowed a user automatically create a data file (Ichiriki: column 12, lines 15-20; column 12, line 65- column 13, line 5).

As per independent claim 20, the applicant discloses the method similar to the device disclosed in claim 1. Claim 20 is similarly rejected under Eintracht and Ichiriki.

As per dependent claim 21, the applicant discloses the method similar to the device disclosed in claim 2. Claim 21 is similarly rejected under Eintracht and Ichiriki.

As per dependent claim 22, the applicant discloses the method similar to the device disclosed in claim 3. Claim 22 is similarly rejected under Eintracht and Ichiriki.

As per independent claim 23, the applicant discloses the recording medium storing a computer program similar to the device disclosed in claim 1. Claim 23 is similarly rejected under Eintracht and Ichiriki.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

The Eintracht reference has been added to address the applicant's arguments.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kyle Stork  
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kr

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8/30/2005